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*Attorneys for Federal Defendants*

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

MONTANA ENVIRONMENTAL	)	No. 1:19-cv-00130-SPW-TJC
INFORMATION CENTER, et al.,	)	
	)	
Plaintiffs,	)	FEDERAL DEFENDANTS’
	)	UNOPPOSED MOTION TO
v.	)	APPEAR VIA VIDEO
	)	CONFERENCE OR
DAVID BERNHARDT, in his official	)	TELEPHONICALLY
capacity as Secretary of the United States	)	
Department of the Interior, et al.,	)	
	)	
Federal Defendants,	)	
	)	
and	)	
	)	
WESTMORELAND ROSEBUD	)	
MINING, LLC, et al.,	)	
	)	
Defendant-Intervenors.	)	
_____	)	

Federal Defendants respectfully move this Court for leave allowing Federal Defendants’ counsel to appear for the evidentiary hearing scheduled for December 18, 2020, Docket 103, via video conference or, in the alternative, telephonically. Given COVID-19, it would be difficult and burdensome for Federal Defendants’ counsel, all based in Washington, DC, to travel and attend the hearing in person. Counsel for both Plaintiffs and Defendant-Intervenors have indicated that they do not oppose this motion. Federal Defendants therefore respectfully request that the Court enter an order as follows:

1. Counsel for Federal Defendants shall appear via video conference or telephonically for the evidentiary hearing scheduled for December 18, 2020.

Dated: December 2, 2020

Respectfully submitted,

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/s/ H. Hubert Yang  
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*Attorneys for Federal Defendants*

### **CERTIFICATE OF SERVICE**

I hereby certify that on December 2, 2020, I electronically filed the foregoing Federal Defendants' Unopposed Motion To Appear Via Video Conference Or Telephonically with the Clerk of the Court using the CM/ECF system, which will send notification of this filing to the attorneys of record.

*/s/ H. Hubert Yang*

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